

EXHIBIT 1

Declaration of Jeffrey R. Rea

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,)	No. CR 07-0654 CRB
)	
Plaintiff,)	DECLARATION OF SENIOR SPECIAL
)	AGENT JEFFREY R. REA IN SUPPORT
v.)	OF UNITED STATES' OPPOSITION TO
)	DEFENDANT'S MOTION TO SUPPRESS
LINDA ASHIEGBU,)	
)	
Defendant.)	

I, Jeffrey R. Rea, declare:

1. I have personal knowledge of the facts set forth below, except as to those matters stated on information and belief which I am informed and believe to be true. If called as a witness, I could and would testify competently to the facts stated in this declaration.

2. I am a Senior Special Agent employed by the Department of Homeland Security, Immigration and Customs Enforcement ("ICE"). I have been a Special Agent for six years. Prior to being a Special Agent, I was an Inspector for six years. I have worked for the Immigration service since 1993. I am currently assigned to the Cyber Crimes and Child Exploitation Investigations Group. I have had this assignment for two months. I have participated in the

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1 execution of over fifty search warrants.

2 3. On June 6, 2007, I participated in a search of 2752 Plover Court, Hayward, California,
3 the residence of Linda and Andrew AHIEGBU. This search was conducted pursuant to a search
4 warrant issued on June 5, 2007 by Magistrate Judge Bernard Zimmerman. I was the "team
5 leader" on the search and was in charge of the search. We arrived at the house around 9:08 a.m.

6 4. When we arrived at 2752 Plover Court, Linda ASHIEGBU was upstairs at the top of
7 the staircase. I went upstairs accompanied by a female employee of the Department of State.
8 Linda ASHIEGBU was not fully dressed. The agent from the Department of State accompanied
9 Linda ASHIEGBU into her room while she got dressed. Linda ASHIEGBU put on a dress of her
10 choosing. After she got dressed, Linda ASHIEGBU did not ask to change her clothes again.

11 5. I recognized Linda ASHIEGBU from photographs of her I had seen prior to the
12 execution of the search warrant. I did not ask Linda ASHIEGBU her name, her immigration
13 status, who else was in the house, or who Emmanuel was. I did not need to ask Linda
14 ASHIEGBU these questions, because I knew who she was, who Emmanuel was, and I knew her
15 immigration status.

16 6. We asked Linda ASHIEGBU and Andrew ASHIEGBU to sit in the sitting room of
17 the house while we "cleared" the house. ("Clearing" a house means conducting an initial cursory
18 search of the rooms and closets to look for any people who may be present before beginning the
19 search for any items authorized to be seized.) Linda ASHIEGBU and Andrew ASHIEGBU were
20 handcuffed while we cleared the house. This is our standard operating procedure during the
21 execution of search warrants and is done for safety purposes. After the house was cleared, the
22 handcuffs were removed from Linda and Andrew ASHIEGBU.

23 7. At that time, I gave a copy of the search warrant to Linda or Andrew ASHIEGBU.
24 We did not begin a search of the house (other than for purposes of clearing it) until after the
25 search warrant had been given to Linda or Andrew ASHIEGBU. The document lying on the
26 coffee table in the sitting room of 2752 Plover Court that appears in the photograph taken by
27 Agent Paul at approximately 9:20 in the morning of June 6, 2007 is a copy of the search warrant

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1 that I gave to Linda or Andrew ASHIEGBU.

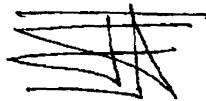
2 8. At no time in my presence did Linda or Andrew ASHIEGBU ask to speak to a lawyer.

3 9. When we were conducting the search of the house, Linda ASHIEGBU asked me
4 questions about the search. I asked Senior Special Agent Brown to speak to Linda ASHIEGBU.

5 10. At no point did I tell Linda or Andrew ASHIEGBU that they were under arrest.

6 11. The Ashiegbu children were not crying during our search of the house. In fact, the
7 children were playing with a dog for much of the time.

8
9 I declare under penalty of perjury, that the foregoing is true and correct to the best of my
10 recollection and belief. Executed this 28th day of May, 2008 at San Francisco, California.

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